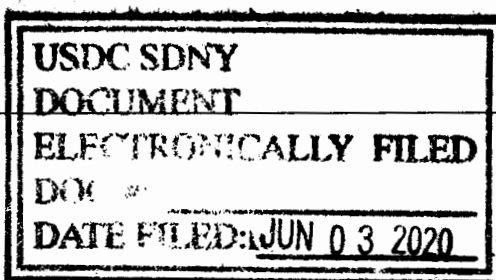


U.S. Department of Justice



United States Attorney  
Southern District of New York

The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

June 1, 2020

BY ECF

The Honorable George B. Daniels  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: United States v. Tony McClam, 17 Cr. 596 (GBD)

Dear Judge Daniels:

A status conference with respect to the defendant Tony McClam is currently scheduled for June 2, 2020. Based on conversations with the Court's Chambers, the Government understands that, as a result of the COVID-19 pandemic, the Court intends to adjourn the June 2 conference, to schedule a pretrial conference in August 2020, and to schedule a jury trial for October 2020.

The Government respectfully requests that the Court exclude time under the Speedy Trial Act through the date that the Court schedules a jury trial in this matter. As the Court is aware, in response to the COVID-19 pandemic, by Standing Orders dated April 20, 2020, 20 Misc. 196 and 20 Misc. 197, among others, Chief Judge McMahon suspended the conduct of jury trials until further order of the Court, and provided that any continuance entered as a result of the Court's standing order shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), from April 27, 2020 through June 15, 2020. The Standing Orders expressly contemplated that any individual judge presiding over a case may exclude time further as warranted. The Government respectfully submits that the ends of justice served by excluding time through the date of an October 2020 jury trial in this case outweigh the interests of the parties and the public in a speedy trial, in light of, among other things, the inability to hold a jury trial at an earlier date in a manner that is able sufficiently to protect the health and well-being the Court, court staff, counsel, the defendant, and any potential jurors from the dangers of the COVID-19 pandemic, and to ensure the conduct of a trial that protects the interests of both the Government and the defendant in a fair trial. *See* 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED:  
*George B. Daniels*  
George B. Daniels, U.S.D.J.  
Dated: JUN 03 2020

The Government has conferred with counsel for the defendant regarding this request. The defendant does not consent to the exclusion of time.

Respectfully submitted,

GEOFFREY S. BERMAN  
United States Attorney

By:   
Brett M. Kalikow / Dominic Gentile  
Assistant United States Attorney  
(212) 637-2220 / 2567

cc: All counsel of record (via ECF)